

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) No. 13-CR-10200-GAO
)
DZHOKHAR TSARNAEV)

(PROPOSED) ORDER FOR DISCLOSURE OF JURY RECORDS

Having reviewed the request of defense counsel for disclosure of jury records, and pursuant to the Jury Selection and Service Act, and *Test v. United States*, it is HEREBY ORDERED THAT the Clerk of the Court produce the following to counsel for Mr. Tsarnaev:

- 1) AO-12 Forms or JS-12 Forms completed for the Calendar Years 2011, 2012 and 2013 Master and Supplemental Jury Wheels during the life of the wheels.
- 2) Other statistical analyses of the Calendar Years 2011, 2012 and 2013 Master and Supplemental Jury Wheels.
- 3) Statistical or other analyses done that ensure that the Calendar Years 2011, 2012 and 2013 Master and Supplemental Jury Wheels meet the requirements of non-discrimination (Section 3 of The Plan for Random Selection of Jurors) and inclusiveness and representation (Section 5a of The Plan for Random Selection of Jurors).
- 4) A blank juror summons/qualification form used to summon the Grand Jurors.
- 5) The Calendar Years 2011, 2012 and 2013 Master Jury Wheel data.

The data should not include any personally identifiable information such as Name and Street Address but should include Participant Number, Zip Code, County, Municipality, Date of Birth, Race and Ethnicity. The Master Jury Wheel data should be in electronic and accessible form and should include a layout with descriptions of all data fields and codes.

- 6) The Calendar Years 2011, 2012 and 2013 Supplemental Jury Wheel data.

The data should not include any personally identifiable information such as Name and Street Address but should include Participant Number, Zip Code, County, Municipality, Date of Birth, Race and Ethnicity. The Supplemental Jury Wheel data should be in electronic and accessible form and should include a layout with descriptions of all data fields and codes.

- 7) Results of the national change-of-address comparison for Calendar Years 2011, 2012 and 2013.

The data should include the Participant Number for any person on the Master or Supplemental Jury Wheel whose address is determined to be undeliverable by the national change-of-address comparison and/or the Participant Number for any person on the Master or Supplemental Jury Wheel whose address has been updated by the national change-of-address comparison.

- 8) All Draws from the Calendar Years 2011, 2012 and 2013 Master and Supplemental Jury Wheel.

The data should include Participant Number, pool summoned for, date of summoning, type of jury service (grand or petit) and disposition for each summons sent during the life of the wheel. The disposition should indicate whether the summons was returned undeliverable, not responded to, disqualified, reason for disqualification, qualified, excused, reason for excusal, selected for jury service and/or served as a juror. The Participant Number will be used to collect the demographic information from the Master and Supplemental Jury Wheels data.

- 9) Calendar Years 2011, 2012 and 2013 Actual Qualification Forms and Documentation

Access to the actual completed juror summons/qualification forms and documentation for excusals and deferrals for each summons. The personally identifiable information should be redacted or access could be limited to the office of the Clerk.

- 10) Source Data

- a) The municipal resident lists used to construct the Calendar Years 2011, 2012 and 2013 Master and Supplemental Jury Wheels.

The source data should be in electronic and accessible form and should include a layout with descriptions of all data fields and codes. Personally identifiable information such as Name and Street Address should be redacted but information

such as Zip code, County and demographic information and, if available, jury Participant Number should be retained.

b) Any statistical or other analyses of the municipal resident lists.

Counsel for Mr. Tsarnaev are directed to make arrangements for transfer of the requested information directly with the Clerk of the Court, or his designee.

IT IS SO ORDERED.

Dated: _____

Honorable George A. O'Toole
United States District Judge